

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,)
 Plaintiff,)
)
vs.) Case No. 04-0244-30-CR-W-FJG
)
Janetta Howell,)
 Defendant.)

ORDER

Pending before the Court is the issue of defendant's mental competency. On September 11, 2006, this Court ordered defendant to undergo a psychiatric or psychological examination to determine whether or not she is presently suffering from a mental disease or defect which renders her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings against her or to assist properly in her defense (Doc. #1019). A forensic evaluation was submitted to this Court on November 8, 2006, and Magistrate Judge John T. Maughmer held a hearing to determine defendant's mental competency on December 22, 2006, at which time the parties stipulated to the forensic evaluation of Dr. Trent H. Evans.

Magistrate Judge Maughmer issued a report and recommendation (Doc. #1039), filed December 22, 2006, finding that defendant is competent to understand the nature and consequence of the proceedings against her and to properly assist in her defense. No objections to the report and recommendation were filed.

The Court, after independent review of the record and applicable law, finds that defendant is competent to understand the nature and consequences of the proceedings against her and to properly assist in her own defense, and that she is competent to stand trial.

IT IS SO ORDERED.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
United States District Judge

Dated: 1/17/07

Kansas City, Missouri Case 4:04-cr-00244-FJG Document 1043 Filed 01/17/07 Page 1 of 1